



SIERRA CLUB - SANTA LUCIA CHAPTER

P.O. Box 15755 • San Luis Obispo, California 93406
Phone: (805) 544-1777 • Fax: (805) 544-1871
<http://www.sierraclub.org/chapters/santalucia>

September 5, 1999

Todd Thompson, Associate Water Resources Control Engineer
Division of Water Quality
State Water Resources Control Board
P.O. Box 944213
Sacramento, CA 94244-2130

Subject: Statewide Program Draft Environmental Impact Report (DEIR)
Application Covering General Waste Discharge Requirements for Biosolids Land

Dear Mr. Thompson,

Thanks for giving the Santa Lucia Chapter of the Sierra Club an opportunity to review the Draft EIR for the General Order on Land Application of Biosolids. Unfortunately, we were not impressed. Although the report acknowledges that there continues to be substantial controversy within the scientific, agricultural and environmental communities concerning both the short and long term impacts of applying sludge to farmlands and open space, it summarily dismisses the points of contention and deems serious potential impacts as being insignificant. You have fulfilled your legal obligation under the 1997 Superior Court ruling by completing the Draft EIR. You have completely failed the people of California and the surrounding environment by choosing to go with the Modified General Order Alternative, however. The additional discharge requirements and supplemental analysis required by this alternative hardly qualify it as the environmentally superior alternative. Such a conclusion could *only* be justified by donning blinders and dismissing virtually every cumulative impact as being less than significant and ignoring potential irreversible environmental changes which could result over the long term. It's not as if you didn't have the facts, so it's hardly worth my time to go to great lengths pointing out all of the places where your conclusions fall short. The report contains numerous citations concerning the inadequacies of the EPA's 503 regulations, particularly with regard to the exclusion of toxic substances, the narrow range of crops and soils studied, assumptions of acceptable risk, etc. But in the end it doesn't matter. The report concludes precisely where you started out - in support of land applications of sludge. It's as if none of the evidence suggesting there might be a problem counts at all. Its more expedient - its more cost effective - to just continue dumping the stuff on our farms and wildlands because we

don't know what else to do with it. It's a very shortsighted, selfish, and sadly uninspiring conclusion and one that the Santa Lucia Chapter cannot support. We will redirect our attention toward trying to fashion regulations for sludge applications on a local level, since it is now painfully clear that we cannot rely on the State regulations to protect our health or the environment.

Sincerely yours,


Holly Stetteland
Chair, Santa Lucia Chapter
Sierra Club

36-4

36-1

36-2

36-3

Responses to Comments from the Sierra Club - Santa Lucia Chapter

- 36-1. Contrary to the commenter's opinion, the EIR does not dismiss points of contention and significant impacts. As required by CEQA, the EIR includes a list of known areas of controversy, including the practice of land application of biosolids. Additionally, the EIR thoroughly evaluates the environmental effects of implementing the proposed GO and identifies the level of significance before and after mitigation.
- 36-2. The commenter's opinion regarding inclusion of the Modified GO as an alternative and the selection of the Modified GO as the environmentally superior alternative are noted. State CEQA Guidelines Section 15126.6(a) states that an EIR should describe a range of reasonable alternatives to the project which would feasibly attain most of its basic objectives and would avoid or substantially lessen any of the proposed project's significant effects. Based on the analysis prepared for the EIR, the Modified GO Alternative was selected because it meets the project objectives and reduces the level of significance for impacts resulting from the implementation of the proposed GO. Because this alternative would result in the least environmental impacts, it was selected as the environmentally superior alternative.
- 36-3. Exclusion of toxic substances from EPA's Part 503 regulations does not mean that these compounds were not evaluated. On the contrary; EPA conducted risk assessments on 10 synthetic organic compounds. The risk assessment concluded that the risk to public health and the environment was negligible. Reports on the inadequacies were reviewed as part of the draft EIR process and found to lack sufficient scientific basis.
- 36-4. The commenter's opinion is noted. SWRCB staff believes the EIR fully complies with the intent of CEQA and provides an adequate basis for formal decision making. The SWRCB has acted in good faith regarding this EIR and feels its proposed regulations can protect human and animal health and the environment.